

**Special Meeting of the Barre City Council
Held December 11, 2012**

The Special Meeting of the Barre City Council was called to order at 6:14 PM by Clerk Carolyn Dawes. In attendance were: From Ward I, Councilors Charles Dindo and Paul Poirier; and from Ward III, Councilors Anita Chadderton and Lucas Herring.

Clerk Dawes said the first order of business was for the Council to elect an Acting Mayor to chair the meeting. Councilor Dindo made the motion to elect Councilor Herring as Acting Mayor, seconded by Councilor Chadderton. **Motion carried.**

Acting Mayor Herring assumed the chair.

Council went into executive session at 6:15 PM to discuss litigation on motion of Councilor Dindo, seconded by Councilor Chadderton. **Motion carried.**

Council invited Manager Mackenzie, Clerk Dawes, Chief Bombardier, attorney Joe Farnham and attorney Nancy Sheahan into the executive session.

Mayor Lauzon arrived at 6:44 PM and assumed the chair.

Councilor Boutin arrived at 6:46 PM.

Mayor Lauzon adjourned the Special Council Meeting at 6:55 PM.

**Regular Meeting of the Barre City Council
Held December 11, 2012**

The Regular Meeting of the Barre City Council was called to order at 7:00 PM by Mayor Thomas Lauzon. In attendance were: From Ward I, Councilors Charles Dindo and Paul Poirier; from Ward II, Councilor Michael Boutin; and from Ward III, Councilors Anita Chadderton and Lucas Herring. Also in attendance were City Manager Steven Mackenzie and Clerk/Treasurer Carolyn Dawes.

Mayor Lauzon invited George Kline and Jeff Wimette of the International Brotherhood of Electrical Workers (IBEW) to address the Council. Mr. Wimette said the IBEW represents electrical workers throughout the state and has created a trust to provide financial support to worthy causes. Mr. Wimette and Mr. Kline presented a check for \$2,000 to Mayor Lauzon in support of the Christmas for Kids program. Mayor Lauzon said the Council held a dollar drop this past Saturday to raise money for the Christmas for Kids program, which is a partnership between the City and the Salvation Army. The Mayor said 100% of the money raised is used to purchase toys for the kids. The Mayor thanked Mr. Kline, Mr. Wimette and the IBEW for their generous gift.

Mayor Lauzon said a man's wedding ring was found in the money collected at Saturday's dollar drop, and it can be identified and claimed in the Clerk's office.

Approval of Consent Agenda: Council approved the following consent agenda items as presented on motion of Councilor Herring, seconded by Councilor Chadderton. **Motion carried.**

- Minutes of the following meeting:
 - Regular Meeting of December 4, 2012
- City Warrants as presented.

- 2013 Licenses & Permits issued through the clerk's office:
 - Animal license, Richard & Kate Barany, 57 Country Way, 1 chicken
 - Animal license, Katherine Bramhall, 25 Colby Street, 10 chickens
 - Animal license, Douglas Hull, 1 Pond Street, honey bees
 - Animal license, Jennawave LePage, 9 Laurel Street, Columbian red tail boa
 - Animal license, Sylvia Lozier, 203 Prospect Street, 3 horses

The City Clerk and Treasurer Report – Clerk Dawes made the following announcement:

- The 2013 Annual (Town) Meeting election is scheduled for Tuesday, March 5, 2013. She distributed a list of the offices that are up for election, and said the information is posted on the Clerk section of the City website.

Approval of Building Permits – NONE

Liquor Control Board – NONE

Visitors and Communications –

Barre City property owner John Clark said he made a request last Wednesday to the Fire Department for copies of inspection reports, but has yet to receive them. Manager Mackenzie said he will follow up on the issue. Mayor Lauzon asked that the reports be provided to Mr. Clark by this Friday.

City Manager's Report – NONE

Old Business –

A) City Place:

1. **9 Merchant St. and 213, 219 and 225 No. Main Street.**
 - a. **Public Information Meeting – City Place Corrective Action Plan.**
 - b. **Authorization to Negotiate/Execute a Lease/Purchase Agreement.**
 - c. **Authorization to negotiate/Execute a Tax Stabilization Agreement.**
2. **Approval of Revised Semprebon Fund Promissory Note.**

Manager Mackenzie introduced Patricia Coppolino (VTANR), Lynda Provencher (VTANR) and Kiersten Bourgeois (VTCCD), who are working on the corrective action plan for the City Place sites, and have been instrumental in assisting the City in applying for remediation funds to assist in addressing contamination on the properties. The Manager said the City is in the middle of the required 2 week public notice period, and this public information meeting is part of the process. He introduced Erik Urch from Environmental Compliance Services (ECS), who gave a PowerPoint presentation on the Corrective Action Plan (CAP). Mr. Urch reviewed the objectives of the environmental investigation, the history of the site, Phase II procedures, results of the investigation, the four areas of concern and the CAP solutions.

Ms. Bourgeois gave an overview of the grant program and the community relations plan. She said the public will be kept informed through updates posted on the City website and given at Council meetings. She said additional information can be had through City Planner Michael Miller. The estimated cost of the remediation work is \$312,000 and the estimated grant funding available is \$216,000.

Mayor Lauzon said he is grateful to the state agencies for their assistance in bringing about the grant funding, and for their level of commitment. The Mayor closed the information meeting at 7:45 PM.

Mayor Lauzon said the other agenda items under City Place will be taken up at a Special Council Meeting on Thursday, December 13th at 7:00 PM.

New Business –

A) Resolution #2012-17 Relating to Designation of CVCLT as a Nonprofit Community Development Organization (NCDO).

Council adopted resolution #20112-17 on motion of Councilor Boutin, seconded by Councilor Herring.

Motion carried.

B) Potential Authorization of Litigation Settlement #1.

Mayor Lauzon read the following motion as prepared by counsel:

“Whereas, the City of Barre and three present or former City police officers are currently defendants in a lawsuit on file in the United States District Court for the District of Vermont brought by David Mares; and Whereas, the Vermont League of Cities and Towns, in recognition of the expense involved in defending the lawsuit, has recommended that the lawsuit be resolved, Now Therefore it is hereby moved that the City of Barre authorize the Vermont League of Cities and Towns Property and Casualty Intermunicipal Fund, to settle the David Mares lawsuit on the City’s behalf, provided that the City’s share of any settlement be limited to its deductible of \$500.00, and provided further that it be expressly understood that by agreeing to a settlement the City admits no liability of any sort and is agreeing to a settlement for the sole purpose of avoiding protracted and expensive litigation.”

Councilor Herring made the motion as presented, seconded by Councilor Chadderton. **Motion carried.**

C) Potential Authorization of Litigation Settlement #2.

Mayor Lauzon read the following motion as prepared by counsel:

“With regard to the water shut-off case of Brenda Brown and Earl Brooks, et al. versus the City of Barre: A motion to approve of the payments set forth in the parties’ “Settlement Agreement in a Class Action” filed with the U. S. District Court December 5, 2012, and further authorizing the City Manager and City Clerk, in consultation with counsel, to approve any procedural requirements called for by the Court in achieving final resolution of the case.”

Councilor Herring made the motion as presented, seconded by Councilor Dindo. **Motion carried.**

Other)

Councilor Dindo made the motion to reconsider last week’s vote related to placing a question on the March 2013 ballot about seeking an alternative truck route. The motion to reconsider was seconded by Councilor Herring.

There was discussion about City priorities and possible re-wording of the original motion.

Council voted on the motion to reconsider. **Motion carried.**

Now up for reconsideration, Councilor Boutin made the motion to place the following question on the March ballot: Are the citizens of Barre City interested in pursuing an alternative truck route through the Merchants Row area? The motion was seconded by Councilor Herring.

There was discussion about developing a series of questions for a survey to be taken by voters as they are leaving the polls at the Annual (Town) Meeting elections. Councilor Boutin said he will work on the survey.

Council voted on the motion. **The motion failed with no Councilors voting in favor and all**

Councilors voting against.

Round Table –

Councilors Dindo and Boutin thanked those who made donations during the Saturday Christmas for Kids dollar drop.

Mayor Lauzon said donations continue to be solicited and received. The Mayor said a lot of good people are doing good work in the community.

Council went into executive session at 8:14 PM to discuss litigation, contract negotiations and personnel on motion of Councilor Herring, seconded by Councilor Boutin. **Motion carried.**

Council came out of executive session at 9:06 PM on motion of Councilor Herring, seconded by Councilor Boutin. **Motion carried.**

Council adjourned at 9:07 PM on motion of Councilor Herring, seconded by Councilor Boutin. **Motion carried.**

An audio transcript of the meeting is available through the Clerk's Office.

Respectfully submitted,

Carolyn S. Dawes, City Clerk